

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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COUNTY OF SUFFOLK,

Plaintiff(s),

-against-

GEORGE R. SIMPSON, *et al.*,

Defendant(s).

ORDER

CV 07-1644 (JS)

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The above case has been referred by United States District Judge Joanna Seybert to the undersigned.

A conference will be held in this case at 2:30 p.m. on August 20, 2008 before **Michael L. Orenstein, United States Magistrate Judge, U.S. Courthouse, N. Spur Drive at Carleton Ave., Courtroom 840, Central Islip, New York.** All counsel must be present.

In the event an answer has not yet been filed by a defendant(s), plaintiff's counsel (plaintiff pro se) is to notify counsel for such defendant(s) of this conference as soon as an answer is filed. No request for adjournment will be considered unless made at least forty-eight (48) hours before the scheduled conference.

Plaintiff's and defendant's counsel are required to comply with the automatic disclosure rules contained in Rule 26(a)(1) of the Federal Rules of Civil Procedure. Pro se litigants are exempt from the automatic disclosure requirement.

Disclosures shall include all documents including electronic and computerized data. The disclosure should be precise and detailed as to the electronic data system employed by each party so as to provide the court and both parties with a sufficient understanding of the categories of searchable data, inaccessible data, the scope of discovery that may be required, the methods of search proposed by each party, and any anticipated issues with regard to electronic discovery (such as document retention programs or costs).

The plaintiff and defendant are both to file a report of the information provided. Each party shall also provide the name, position, and contact information for a key employee who is able to provide useful information about the storage, retrieval and management of the electronic data systems used by the client, in the course of litigation.

The plaintiff and defendant are required to discuss and agree to the format of production of electronic data, search procedures to be employed, and the privilege preservation order before the conference.

Failure to make the disclosures may result in the imposition of sanctions pursuant to Rule 37(c) of the Federal Rules of Civil Procedure.

The attorneys for the respective parties shall bring proof of service of the automatic disclosure to the conference.

The Clerk is directed to mail a copy of this Order to counsel for all parties appearing in this case.

SO ORDERED.

Dated: Central Islip, New York
July 24, 2008

MICHAEL L. ORENSTEIN
United States Magistrate Judge

**NOTE: PLAINTIFF'S COUNSEL SHOULD CONFIRM
WITH THEIR ADVERSARY THAT ALL NECESSARY
PARTIES ARE AWARE OF THIS CONFERENCE**